

BLUE MOUNTAIN DISTRIBUTION SYSTEM MEETING  
SAN JUAN COUNTY COURTHOUSE, MONTICELLO, UTAH  
MONDAY - APRIL 13, 1970 - 3:00 P.M.

Water Users and Others in Attendance:

<u>NAME</u>	<u>REPRESENTING</u>
Hubert C. Lambert	Utah State Engineer
Donald C. Norseth	Distribution Eng., Division of Water Rights
Kenward H. McKirney	Area Engineer, Division of Water Rights
LaMond Gardner	Assist. Area Eng. Division of Water Rights
Don R. Barton	President, Verdure Irrigation Company
F. Bennion Redd	Carlisle Ranch
C. Alfred Frost	Carlisle Ranch
Evan Pehrson	President, Pioneer Irrigation Company
James M. Scorup	Pete Bailey Ranch
K. S. Barton	Verdure Ranch (Barton K-1)
Wilford Frost	Monticello, Utah
Karl S. Barton	Monticello, Utah (Verdure)
Clyde M. Barton	Monticello, Utah (Verdure)
Mons L. Smith	Monticello, Utah (Verdure)
Richard Larson Smith	Monticello, Utah
Lyman D. Nielson	Fred Keller Ranch
Devere Halls	Monticello (Blue Mountain Irrigation Co.)
Max Dalton	Monticello, Utah
Francis Barton	Verdure
Merrill Stevens	Verdure
L. P. Bailey	Secretary, Blue Mountain Irrigation Co.
Don Rodgers	Water Master

The meeting was opened by Mr. Hubert C. Lambert, Utah State Engineer, at 2:55 P.M. Mr. Lambert made a few introductory remarks about distribution systems in the State of Utah. He indicated the number of distribution systems which the State Engineer was supervising now in comparison with the number that were supervised 25 or more years ago. He read the letter which was written by Mr. F. Bennion Redd which was responsible for the calling of this meeting. Mr. Lambert indicated that there were several entities under which distribution systems were operated besides the State Engineer's Office. Some were operated by individuals, some by the various district courts, and some by irrigation companies, etc. He gave a short history of the Virgin River System. Mr. Lambert also talked about the State Engineer's policy on distribution systems and also about the statutory provisions which govern distribution system operations. Mr. Lambert then turned the meeting over to Donald C. Norseth, Distribution Engineer for the Division of Water Rights, who would explain the organization and operation of the distribution system.

Mr. Norseth indicated that the first requirement is that a distribution system be financially self-sustaining. Distribution systems operate under the assessment system. These assessments may be arrived at by several different methods. Assessments may be arrived at on the basis of acres of land irrigated, of the number of acre-feet of water delivered, etc. In order to make the assessment on the basis of acre-feet of water delivered there should be a record of previous deliveries. Generally when a system is started, the assessment is based upon the acreage irrigated while a record of acre-feet deliveries is being accumulated. In the acre-foot based assessment current assessments are based on the previous years deliveries. If irrigated acreage is the basis of the assessment then the assessment is based upon the number of acres irrigated. In both cases the total assessment is met by the prorata contributions of each member of the distribution system.

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Each system is operated by a Commissioner who is appointed by the State Engineer and who is paid by the State Engineer from distribution system funds held in trust by the State Engineer. The Commissioner is selected by the State Engineer from personnel recommended to him by the distribution system. The duties of the Commissioner were outlined. It was indicated that the Commissioner would be responsible for the operation of the system. The Commissioner would make periodic readings of measuring devices and would make periodic adjustments to headgates as required. At the end of the year the Commissioner prepares his report and submits it to the State Engineer. Mr. Norseth indicated that headgates and measuring devices would be required. Mr. Norseth then outlined the budget procedure. He indicated that the main item of the budget was the salary of the Commissioner. Mr. Norseth indicated that there were a number of ways in which the Commissioner could be compensated. One of these methods was by contract, another was by salary, etc. Mr. Norseth then outlined a typical budget.

Commissioner's Salary	
Matching Social Security Tax	4 $\frac{1}{2}$ % of Salary
Matching State Retirement	4 $\frac{1}{3}$ % of Salary
Commissioner's Travel Expense	(Generally 10¢ per mile)
Bonds and Insurance Premium	\$25.00
Annual Report Expense	
Miscellaneous Expense	
Telephone Expense	

It was indicated that the water assessment must be paid or there will be no water delivered. It was also indicated that measuring devices will have to be installed at each diversion so that the water can be accurately measured. It was indicated that the length of time allowed for installation of the measuring devices was a somewhat flexible item. It was indicated that it was dependent upon the conditions that existed at each individual system.

It was indicated that the duties of the Commissioner would be specified. That policies and procedures in case of difficulties would be set down by the State Engineer. A priority schedule would be prepared for the Commissioner. This priority schedule would indicate the priority of the various rights on the system. The financial statements also would be made by the State Engineer. All money collected from assessments would be held in trust by the State Engineer in the name of the distribution system. The annual water users meeting procedure was then outlined to those in attendance. Mr. Lambert then explained the system regarding the working with decrees and appeals, etc. Mr. Bannion Redd made a few remarks regarding previous problems, etc., which had been experienced in the area to be covered by the Blue Mountain Distribution System. Measuring devices again came into discussion.

The matter of the cost or expense of operating a system was then discussed. It was explained to those in attendance that the cost of operating the system would depend upon the duties of the Commissioner. It would depend upon how much the water users wanted their Commissioner to do. It was indicated by the State Engineer that regular trips and readings of water measurements should be taken by the Commissioner. This should be done on a regular basis so that a record of deliveries could be built up over a period of time.

Some of the Verdure Creek water users in attendance indicated that they took their turn with whatever water there was. They had a rotation type system. Mr. Karl Barton indicated that a measuring device should be required on Verdure Creek.

③ Mr. Lambert then indicated that a Committee of water users should be appointed to investigate what was wanted by the water users insofar as the operation of the Blue Mountain Distribution System was concerned. Mr. Don Rodgers was indicated to be interested in the Commissioner's job but he could not be present at this meeting.

A question was then asked from the floor about whether or not the services of the State Engineer were predicated upon the adoption of a budget and assessments, etc. Mr. Lambert indicated that the services of the State Engineer were not predicated upon the adoption of the budgets, assessments, etc., and the formation of a distribution system. However, Mr. Lambert did indicate that because of the work load carried by the area offices and personnel of the Division of Water Rights that the organized distribution systems as supervised by the State Engineer had first call upon the time of personnel of the Division of Water Rights. Mr. Lambert then indicated that perhaps the best thing to do was not to rush into the formation of a distribution system organization but to have a committee appointed and set up plans for the implementation of the system next year.

Mr. Don Rodgers came in at 3:45 P.M. Several questions were directed to Mr. Rodgers about the mileage that he traveled and the number of measuring devices and headgates on the system. Mr. Rodgers indicated that his mileage was probably on the order of 50 miles. The number of diversions and headgates were then discussed with Mr. Rodgers. Mr. Rodgers indicated that on South Creek there was one at the head and one at the lower end. On North Creek he indicated there was one at the head and two splitting headgates below this. On Spring Creek it was measured into Green Ranch and there were two other diversions that could be measured. There was one device below this on Spring Creek. A discussion was then had about the availability of surveys and acreage served, etc. It was indicated that at one time there had been a map made by Mr. Shelley on the decree but there were no copies of this map available other than a copy of the Verdure Creek section which was in the possession of Mr. Karl Barton. This copy of the map by Mr. Barton has been copied by the Southeastern Area Office.

Mr. F. Bennion Redd moved that Mr. Rodgers be appointed Commissioner. Mr. Jim Scorup seconded the motion. The motion carried unanimously. Financial arrangements would be worked outside of the State Engineer's organization. It was pointed out that the Commissioner would have to be bonded if he was to be appointed by the State Engineer.

The composition of the committee to govern the Blue Mountain Distribution System was then discussed. It was finally decided that there should be a representative from Verdure Creek, a representative from Pioneer Irrigation Company, a representative from the Blue Mountain Irrigation Company, a representative from Carlisle Ranch, and a representative from Spring Creek. Nominations were then opened for the representative from Verdure Creek. Don Barton and Karl Barton Sr. were nominated for the position of representative from Verdure Creek. Don Barton received 5 votes and Karl Barton Sr. received 2 votes. Don Barton was then declared to be the representative from Verdure Creek. For Pioneer Irrigation Company, Ernest Sonderegger was the representative. From Blue Mountain Irrigation Company, Max Dalton was the representative. From Carlisle Ranch, Alfred Frost was the representative. From Spring Creek, DeReese Nielson was the representative. Mr. Norseth then summarized the organization of the distribution system with regards to setting up and operating the system under discussion. The general meeting was then adjourned, and the members of the Staff of the Division of Water Rights and Mr. Lambert, the State Engineer, met with the committee and Don Rodgers. In the meeting with the committee, the first question considered was how often to check the various parts of the system. If there was a steady flow in the system then once a week would probably suffice.

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Last year the system was effectively operated in May, June and some in July. It was indicated that the period during which the Commissioner's services would be required would probably be on the order of 10 weeks. A question was then raised about who will see that Mr. Rodgers is compensated and who would be responsible for the \$25.00 fee for bond premiums which the State Engineer was required by law to collect. The pay schedule was discussed and it was indicated that this would be taken care of by the Committee. Mr. Rodgers will begin his duties when the water starts to flow and will continue until the flow ceases. The committee will take care of the compensation of Mr. Rodgers. Mr. DeReese Nielson paid the \$25.00 bond premium to the State Engineer and an informal election was then held and Max Dalton was designated to be Chairman of the Committee and Don Barton was designated to be Secretary. The meeting was then adjourned.

## Committee

Don Barton - Verdure Creek  
Pioneer Creek - Ernest Sonderegger - ~~Blue Mountain Spring Co.~~ Carlisle Ranch  
Cable Creek - Max Dalton - ~~Blue Mountain~~  
De Reese Nielson - Spring Creek  
Alfred Frost - Carlisle Ranch.